

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 84160**

This is to certify that: **RAFT RIVER LAND & LIVESTOCK LLC**  
PO BOX 584  
RUPERT, ID 83350-0584

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-13023	WR/DECREED	6/30/1985	0.290 cfs	N/A	17.0	214.0	GROUND WATER
43-13269	WR/DECREED	12/9/1960	0.560 cfs	112.0 af	28.0	338.0	GROUND WATER
43-2342	WR/DECREED	4/24/1950	6.100 cfs	1240.0 af	310.0	338.0	GROUND WATER
43-2543	WR/DECREED	2/7/1962	3.650 cfs	788.0 af	197.0	214.0	GROUND WATER

**Purpose of Transfer (Changes Proposed)**

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-13023	NO	NO	YES	YES	NO	NO
43-13269	NO	NO	YES	YES	NO	NO
43-2342	NO	NO	YES	YES	NO	NO
43-2543	NO	NO	YES	YES	NO	NO

**Summary Of Water Rights After the Approved Change**

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-13023	43-13023	0.290 cfs	N/A	17.0	552.0	N/A	N/A	N/A	N/A	N/A
43-13269	43-13269	0.560 cfs	112.0 af	28.0	552.0	N/A	N/A	N/A	N/A	N/A
43-2342	43-2342	6.100 cfs	1240.0 af	310.0	552.0	N/A	N/A	N/A	N/A	N/A
43-2543	43-2543	3.650 cfs	788.0 af	197.0	552.0	N/A	N/A	N/A	N/A	N/A
<b>COMBINED TOTALS</b>		<b>10.310 cfs</b>	<b>2140.0 af</b>	<b>552.0</b>	<b>552.0</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 26<sup>th</sup> day of October, 2020.

  
Southern Region Manager

SUPPORT DATA

Transfer No. 84160

IN FILE # 43-2342

**WATER RIGHT NO. 43-2543****As Modified by Transfer No. 84160**

In accordance with the approval of Transfer No. 84160, Water Right No. 43-2543 is now described as follows:

**Right Holder:** RAFT RIVER LAND & LIVESTOCK LLC  
PO BOX 584  
RUPERT, ID 83350-0584

**Priority Date:** 2/7/1962

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

3.650 cfs

3.650 cfs

**Diversion Volume**

788.0 af

788.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSE  
GROUND WATER NWSE  
GROUND WATER NWNE

Sec 10 Twp 11S Rge 26E CASSIA County  
Sec 10 Twp 11S Rge 26E CASSIA County  
Sec 15 Twp 11S Rge 26E CASSIA County

**PLACE OF USE: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	10	30.9	28.2	30.9	33.1									31.4	29.0	29.9	31.8	245.2
11S	26E	11						0.2	0.2		10.0	21.9	37.1	22.4					91.8
11S	26E	14						33.0	34.2										67.2
11S	26E	15	39.4	37.8	36.4	34.2													147.8

Right Acre Limit: 197.0

POU Total Acres: 552.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 197.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2543 and 43-13023 when combined shall not exceed a total diversion rate of 3.65 cfs, a total annual maximum diversion volume of 788.0 af at the field headgate, and the irrigation of 214.0 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.

Transfer No. 84160

**WATER RIGHT NO. 43-2543**  
**As Modified by Transfer No. 84160**

**CONDITIONS OF APPROVAL**

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. Right No. 43-13023 is an expansion of this right pursuant to Idaho Code § 42-1416B.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# **WATER RIGHT NO. 43-13023**

## **As Modified by Transfer No. 84160**

In accordance with the approval of Transfer No. 84160, Water Right No. 43-13023 is now described as follows:

**Right Holder:** RAFT RIVER LAND & LIVESTOCK LLC  
PO BOX 584  
RUPERT, ID 83350-0584

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.290 cfs  
0.290 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSE Sec 10 Twp 11S Rge 26E CASSIA County  
GROUND WATER NWSE Sec 10 Twp 11S Rge 26E CASSIA County  
GROUND WATER NWNE Sec 15 Twp 11S Rge 26E CASSIA County

### **PLACE OF USE: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	10	30.9	28.2	30.9	33.1									31.4	29.0	29.9	31.8	245.2
11S	26E	11						0.2	0.2		10.0	21.9	37.1	22.4					91.8
11S	26E	14						33.0	34.2										67.2
11S	26E	15	39.4	37.8	36.4	34.2													147.8

Right Acre Limit: 17.0  
POU Total Acres: 552.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 17.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2543 and 43-13023 when combined shall not exceed a total diversion rate of 3.65 cfs, a total annual maximum diversion volume of 788.0 af at the field headgate, and the irrigation of 214.0 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.

Transfer No. 84160

**WATER RIGHT NO. 43-13023**

**As Modified by Transfer No. 84160**

**CONDITIONS OF APPROVAL**

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. This right is an expansion of Right No.43-2543 pursuant to Idaho Code § 42-1416B.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-2342**  
**As Modified by Transfer No. 84160**

In accordance with the approval of Transfer No. 84160, Water Right No. 43-2342 is now described as follows:

**Right Holder:** RAFT RIVER LAND & LIVESTOCK LLC  
 PO BOX 584  
 RUPERT, ID 83350-0584

**Priority Date:** 4/24/1950

**Source:** GROUND WATER

<b><u>BENEFICIAL USE</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Diversion Volume</u></b>
IRRIGATION	03/15	to 11/15	6.100 cfs	1240.0 af
			6.100 cfs	1240.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER	NWSE	Sec 10 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWSE	Sec 10 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 15 Twp 11S Rge 26E CASSIA County

**PLACE OF USE: IRRIGATION**

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	10	30.9	28.2	30.9	33.1									31.4	29.0	29.9	31.8	245.2
11S	26E	11						0.2	0.2		10.0	21.9	37.1	22.4					91.8
11S	26E	14						33.0	34.2										67.2
11S	26E	15	39.4	37.8	36.4	34.2													147.8

Right Acre Limit: 310.0

POU Total Acres: 552.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 310.0 acres within the place of use described above in a single irrigation season.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 84160

**WATER RIGHT NO. 43-2342**  
**As Modified by Transfer No. 84160**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13269****As Modified by Transfer No. 84160**

In accordance with the approval of Transfer No. 84160, Water Right No. 43-13269 is now described as follows:

**Right Holder:** RAFT RIVER LAND & LIVESTOCK LLC  
PO BOX 584  
RUPERT, ID 83350-0584

**Priority Date:** 12/9/1960

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.560 cfs

0.560 cfs

**Diversion Volume**

112.0 af

112.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER

NWSE

Sec 10 Twp 11S Rge 26E CASSIA County

GROUND WATER

NWSE

Sec 10 Twp 11S Rge 26E CASSIA County

GROUND WATER

NWNE

Sec 15 Twp 11S Rge 26E CASSIA County

**PLACE OF USE: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	10	30.9	28.2	30.9	33.1									31.4	29.0	29.9	31.8	245.2
11S	26E	11						0.2	0.2		10.0	21.9	37.1	22.4					91.8
11S	26E	14						33.0	34.2										67.2
11S	26E	15	39.4	37.8	36.4	34.2													147.8

Right Acre Limit: 28.0

POU Total Acres: 552.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 28.0 acres within the place of use described above in a single irrigation season.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 84160



**WATER RIGHT NO. 43-13269**

**As Modified by Transfer No. 84160**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

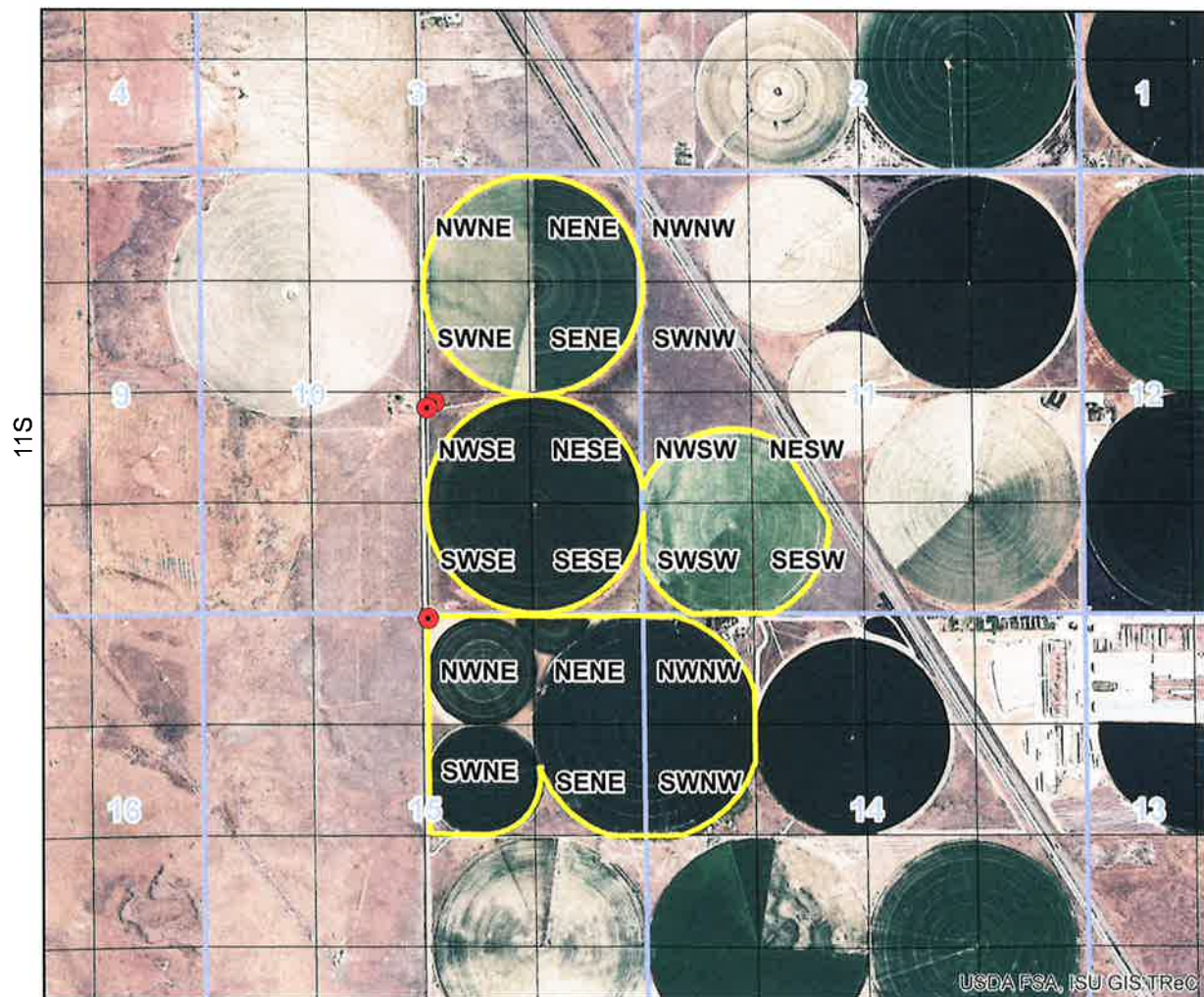
State of Idaho  
Department of Water Resources

# Attachment to Transfer # 84160

43-2342, 43-2543, 43-13023, and 43-13269

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

26E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.275 0.55 1.1 Miles





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov) • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

October 28, 2020

RAFT RIVER LAND & LIVESTOCK LLC  
PO BOX 584  
RUPERT ID 83350-0584

Re: Transfer No: 84160  
Water Right No(s): 43-2342, 43-2543, 43-13023, 43-13269

**Transfer Approval Notice**

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner  
Southern Regional Manager

Enclosure

C:

WATER DISTRICT 143  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858

## CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84160

Water Right No(s): 43-2342, 43-2543, 43-13023, 43-13269

RAFT RIVER LAND & LIVESTOCK LLC

PO BOX 584

RUPERT ID 83350-0584

WATER DISTRICT 143

NATHAN ERICKSON

650 ADDISON AVE W STE 500

TWIN FALLS ID 83301-5858



Denise Maline  
Administrative Assistant

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

# MEMORANDUM

**Date:** October 7, 2020  
**To:** Transfer 84160, Raft River Land & Livestock, LLC File  
**From:** Jim Bitzenburg  
**Re:** Evaluation of Sufficiency of Information Submitted

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Application for transfer proposes to combine the place of use of two adjacent farms, where four ground water rights will irrigate 552.0 acres with a combined flow rate of 10.31 cfs, located approximately 11.0 to 12.5 miles north and 0.8 to 1.8 miles west of Malta. In addition, the transfer proposes to add the existing point of diversion from the two rights on each farm to the other rights, and add a new well to all four rights. The new well will be located approximately 12.0 miles north and 1.7 miles west of Malta. After the transfer, the four ground water rights will be authorized to divert up to 10.31 cfs from three wells.

The applicant also requests to drop the 10 acre (QQQ) description from the PODs on all four rights.

The transfer was advertised because it proposed adding a ground water POD in the Raft River Critical Ground Water Area. No protests were filed. Since it is located in Water District 143, watermaster comments were solicited. The Watermaster did not oppose the transfer.

The rights involved in the transfer include: 43-2342 (6.1 cfs, 310.0 acres, 1240.0 AF), 43-13269 (0.56 cfs, 28.0 acres, 112.0 AF), 43-2543 (3.65 cfs, 197.0 acres, 788.0 AF), 43-13023 (0.29 cfs, 17.0 acres).

- **Authority to File:**

The Department's database indicates that the water rights involved are owned by the applicant, Raft River Land & Livestock, LLC and the application was signed by Joel Parker, who is the manager of the LLC. The latest Annual Report form on file with the Idaho Secretary of State is in the transfer application file.

- **Water Right Validity:**

The water rights involved have all been decreed in the SRBA. Aerial imagery seems to indicate that forfeiture is not an issue.

- **Injury to Other Water Rights:**

None anticipated or foreseen.

- **Enlargement of Use:**

None anticipated. Application intends to add a POD and combine farms only; no increase in rate, volume, or acres.

- **Local Public Interest:**

No issues anticipated. Transfer was advertised.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated

- **Effect of the Agricultural Base of the Area:**

None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.



\* \* \* **Proof of Publication** \* \* \*

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301

JENNY GREEN, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500  
TWIN FALLS ID 83301

ORDER NUMBER 106065

Jenny Green  
(Legals Clerk)

STATE OF IDAHO )  
                                )SS  
COUNTY OF TWIN FALLS )

On this 24 day of September in the year of 2020 before me, a Notary Public, personally appeared before me Jenny Green known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore  
Notary Public FOR Idaho  
Residing at: Twin Falls, Idaho  
My Commission expires: 9-4-2026



**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 84160**

✓ RAFT RIVER LAND & LIVESTOCK LLC, PO BOX 584, RUPERT, ID 83350-0584 has filed Application No. 84160 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13023, 43-13269, 43-2342, 43-2543. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to combine the place of use of two adjacent farms, where four ground water rights will irrigate 552.0 acres with a combined flow rate of 10.31 cfs, located approximately 11.0 to 12.5 miles north and 0.8 to 1.8 miles west of Malta. In addition, the transfer proposes to add the existing point of diversion from the two rights on each farm to the other farm's rights, and add a new well to all four rights. The new well will be located approximately 12.0 miles north and 1.7 miles west of Malta. After the transfer, the four ground water rights will be authorized to divert up to 10.31 cfs from three wells.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 84300**

✓ OAK VALLEY LAND CO LLC, 468 S 800 W, BURLEY, ID 83318-5201 has filed Application No. 84300 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13938, 45-13941, 45-13943, 45-13945. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 167.9 acre portion (3.01 cfs) of a 275.5 acre (4.94 cfs) irrigation ground water right, that is currently diverted from 8 wells within a 3694.1 acre permissible place of use located approximately 4.6 to 6.6 miles south and 5.0 to 9.5 miles west of the intersection of Hwy 30 and Hwy 27 in Burley. The proposed change of nature of use will be from irrigation to commercial & stockwater use for the expansion of an existing dairy facility. The application proposes diverting from four existing wells at the dairy. Application also proposes changing the place of use for three commercial & stockwater ground water rights (1.97 cfs total) as part of a proposed expansion of the dairy facility located approximately 5.2 to 6.1 miles south and 7.3 to 8.1 miles west of the intersection of Hwy 30 and Hwy 27 in Burley. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see [research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers](http://research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers). Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before October 5, 2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on: September 17th & 24th, 2020

**RECEIVED**

**OCT 01 2020**

**DEPT OF WATER RESOURCES  
SOUTHERN REGION**

Section: Legals

Category: 50 Legal

PUBLISHED ON: 09/17/2020, 09/24/2020

✓ sm 10/6/2020

TOTAL AD COST: 154.23

FILED ON: 9/24/2020

# Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 106065

Publication

Times News

Contact

ID DEPARTMENT OF WATER RESOURCES

PO Number

Address 1

650 ADDISON AVE W, STE 500

Rate

Legal Notice

Address 2

Order Price

154.23

City St Zip

TWIN FALLS ID 83301

Amount Paid

0.00

Phone

2087363033

Amount Due

154.23

Fax

Section

Legals

Start/End Dates

09/17/2020 - 09/24/2020

SubSection

Insertions

2

Category

50 Legal

Size

106

Ad Key

106065-1

Salesperson(s)

Jenny Green - Legals

Keywords

NOTICE OF PROPOSED CHANGE OF W

Taken By

Jenny Green

Notes

Ad Proof

✓ DM  
9-11-2020

**Proof of legal notice received  
from Times News 9/11/2020 (2 pgs)**

# Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 106065

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84160

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## NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84300

OAK VALLEY LAND CO LLC, 468 S 800 W, BURLEY, ID 83318-5201 has filed Application No. 84300 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13938, 45-13941, 45-13943, 45-13945. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 167.9 acre portion (3.01 cfs) of a 275.5 acre (4.94 cfs) irrigation ground water right, that is currently diverted from 8 wells within a 3694.1 acre permissible place of use located approximately 4.6 to 6.6 miles south and 5.0 to 9.5 miles west of the intersection of Hwy 30 and Hwy 27 in Burley. The proposed change of nature of use will be from irrigation to commercial & stockwater use for the expansion of an existing dairy facility. The application proposes diverting from four existing wells at the dairy. Application also proposes changing the place of use for three commercial & stockwater ground water rights (1.97 cfs total) as part of a proposed expansion of the dairy facility located approximately 5.2 to 6.1 miles south and 7.3 to 8.1 miles west of the intersection of Hwy 30 and Hwy 27 in Burley.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see [research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers](https://research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers). Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before October 5, 2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on: September 17th & 24th, 2020

✓ DM 9-11-2020

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Transfer No: 84160  
Water Right No: 43-2342, etc.  
Applicant Name: Raft River Land & Livestock LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

**Dated: September 11, 2020**

**Water District 143**

  
\_\_\_\_\_  
**Nathan Erickson, Watermaster**